

## NEWINGTON TOWN PLAN AND ZONING COMMISSION

### Public Hearing and Regular Meeting

September 28, 2016

Chairman Frank Aieta called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room L101 in the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

#### **I. PLEDGE OF ALLEGIANCE**

#### **II. ROLL CALL AND SEATING OF ALTERNATES**

##### Commissioners Present

Chairman Frank Aieta  
Commissioner Chris Miner  
Commissioner Domenic Pane  
Commissioner Robert Serra  
Commissioner Stanley Sobieski  
Commissioner John Bottalico-A  
Commissioner Michael Camillo-A

##### Commissioners Absent

Commissioner Brian Andrzejewski  
Commissioner Judy Strong  
Commissioner Paul Giangrave-A

##### Staff Present

Craig Minor, Town Planner

Commissioner Camillo was seated for Commissioner Andrzejewski and Commissioner Bottalico was seated for Commissioner Strong.

#### **III. APPROVAL OF AGENDA**

Craig Minor: I have an item to be added. The Wood 'N Tap Restaurant which as some of the Commissioners remember got TPZ approval to open a restaurant in the Raymour and Flannigan building. They are planning on opening the end of October, but they just realized that they need a permit from you also for liquor. They didn't realize that at the time and so they submitted an application, it just came in today for a liquor license. That does require a public hearing, so I'm recommending that you add to the agenda under Petitions for Public Hearing Scheduling Wood 'N Tap alcohol permit on your next meeting on October 13<sup>th</sup>.

Chairman Aieta: Any comments on the addition? This is a project that has been going on, it sort of slowed down during the summer, and I'd really like to see this open up at some point. If they have a date, we could accommodate them, I think we should. We can put it on under Petitions for Scheduling.

IV. **PUBLIC PARTICIPATION** (for items not listed on the Agenda, speakers limited to two minutes.)

None

V. **REMARKS BY COMMISSIONERS**

None

VI. **PUBLIC HEARING**

A. **Petition 39-16: Special Permit (Section 6.2.4: Free Standing Business Sign) at 800 N. Mountain Road. St. Thomas Indian Orthodox Church, owner/applicant; Anoop Mathew, 11 Welles Lane, South Windsor CT, contact.**

Anoop Mathew: I am representing St. Thomas Indian Orthodox Church. We are asking the Town of Newington to let us put up a signpost.

Binu Chandy: I'd like to state that I am on the Mansfield Planning and Zoning Commission and I no way am I representing them now, I am here representing the St. Thomas Orthodox Church and we are here to install a two sided free standing sign at the entrance to the church at 800 North Mountain Road. I believe it is a very straight forward application.

Craig Minor: The application is in order, we have double checked the measurements and it is within the regulations and complies with the sign regulations.

Chairman Aieta: And the sight lines?

Craig Minor: As you can see from the sketch, they plan on having the sign approximately a foot or two back from the right of way, which is permissible.

Chairman Aieta: Any Commissioner remarks or comments? Any questions for the applicant? You have a picture of the sign. We'll go to the public. Is this internally lit?

Binu Chandy: We have no lighting at this time.

I have a request. We have a formal dedication ceremony October 28<sup>th</sup>, and we would like to have the sign for that, so I humbly request if you could approve the petition today so we can have the sign.

Chairman Aieta: Let's open it up to the public and see if there is anyone here in opposition? Are there people who wish to speak in favor of this application? Anyone in opposition to this application? What's the Commission's pleasure?

Commissioner Sobieski moved to close Petition 39-16. The motion was seconded by Commissioner Miner. The vote was unanimously in favor of the motion, with six voting YEA.

Chairman Aieta: We will move this to Old Business and we will act on this tonight.

B. **Petition 40-16: Show Cause Hearing to Revoke Special Permit #03-04 at 174 Francis Avenue. American Muscle Inc., permittee.**

Craig Minor: I actually am going to turn this over to the Zoning Enforcement Officer to make the presentation.

Mike D'Amato: I have some different things that we will put up here so that everybody can see, and we will all be on the same page. Basically the first thing that we are going to start with is a chronology of the approvals that were given by TPZ going back to 2000. What is up on the screen is what we are calling final conditions. TPZ approved this application and then subsequently modified and changed what was approved and just to keep it clear so that we are all understanding the final conditions of what are in play now, you can look up here and see, there are a couple of things that I guess I just want to call your attention to. Important pieces for each one of the conditions and you can see all of them and if you have questions we can go over them in depth, but in the first condition, it says, "The use of the property shall be limited to a Used Car Dealership" So these are all part of the Certificate of Action, so if you, the Certificate was approved back in 2000 and 2004 all have these, they are a little hard to follow, which is why this is a separate sheet.

There was another condition. Condition Number three which says no auto body work, dismantling of vehicles, repainting of vehicles or storage of vehicle parts, other than in the two enclosed buildings identified in the site plan shall be permitted.

It goes on in Condition Four to explain that the maximum number of operable vehicles on the property shall be 46. Then it goes on to specify different spaces used for different things, and that no more than two inoperable vehicles as defined shall be stored outside of the enclosed building.

Condition Five states that all service to vehicles shall be done inside the workshop area, and Condition Six states that no vehicle parking or vehicle display shall be permitted within the front yard of the property, which at that time what they are calling the front yard is the distance of 25 feet within the fenced enclosure along the Francis Avenue right of way.

Condition Seven I think is the last important one for tonight's purposes. It states that no vehicle shall be permitted to park in the Francis Avenue right of way.

So, other than what I outlined, there are a couple of things to talk about, transferring permits and the permits not being, being limited to the applicant, but none of that has changed so it is not really important I think at this point in time, but if we have specific questions, we can go over that.

So the next thing that we want to show everybody, I used State of Connecticut aerial photos to give you an idea of how the, what the site has looked like over the years. I was not here in 2003 when it was approved, so I don't know what it looked like, but this should give you an idea of the progression. What I did is, on the bottom I hi-lighted in red the approximate area of the town right of way, and then obviously there is the rail line on the left, which is now also CTfastrack, and Francis Avenue comes up from the south and heads east. So this is 2003 so I have done my best to give an approximate count of vehicles that I could see which I noted in the top portion of each slide. You will see at the top, it will give you the year.

This is 2004, when the last approval was modified by TPZ. This is 2006. The two red arrows I'm showing because I'm trying to give you an idea of vehicle turnover, the most north yellow is what I'm calling a box truck, and on the left hand side there is a large boat to give some kind of reference for the photos we will see.

2009 by my count is roughly 80 vehicles on site at that point, and a couple in the right of way. 2012, more vehicles in the right of way, and showing those two vehicles hi-lighted in yellow, still roughly 80 vehicles on the property.

This is the most recent photo, taken I believe in March, the two vehicles are there in yellow again, roughly 85 vehicles on site and half a dozen in the right of way. We don't have current up to date imaging from this morning, but this is the most recent aerial photo that we were able use.

The only other thing, that we have here and it's called the summary of violations, and what it lists is basically all of the notices, whether it be a notice of violation, a citation, or something

along those lines that was sent to the property owner going back to April of 2003, all the way to 2012.

If any of the Commissioners have questions, I will try to answer them. We have a couple of more things that we just want to touch on. What you will see, this is a report from our data base that basically shows previous ZEO's, what they described the violations to be, and then the compliance status, that tells you whether a violation notice was sent, if they were monitoring the situation, if they found progress or compliance. It lists the ZEO at the time, their understanding of what was going on, and then on the left hand side you will see the date.

That's all I have. We took some photos this morning from the right of way, from Francis, just to give you an idea. Without access to the property, obviously we don't have... standing in the Francis Avenue right of way. The train tracks and the CTfastrack will be to your left, and you are looking north. I was trying to look through the fence towards the north end of the property.

Commissioner Pane: Just one question. Is he allowed to park in the right of way during the day, but then at night there aren't supposed to be any vehicles left there, is that correct?

Mike D'Amato: I cannot tell you if it's correct, only because the condition of approval stated that no vehicle parking would be permitted in the right of way, so without knowing what the Commission decided, I would assume if parking during the day was permissible, they would have put hours, sometimes you guys put operating hours for certain things, but I can't confirm either way on that.

Commissioner Sobieski: Those No Parking Signs that you see on the fence, how long have they been up there, do you know?

Mike D'Amato: I do not know. I don't know if we have any older photos to be able to tell you how long they have been up. That was from this morning.

Commissioner Sobieski: Well, if they are up there, and if there is No Parking there, why isn't that being enforced by the Police Department? Or is it because there is no authority on the bottom of them, that's my question.

Mike D'Amato: I'm not sure. I haven't gone over this issue with the Police Department as far as vehicles being in the right of way, but it is something that we can certainly discuss with them.

Commissioner Sobieski: Are the two vehicles out there without plates on them, or are they registered?

Mike D'Amato: As of this morning, I did not see any plates.

Commissioner Sobieski: No plates on the flatbed or on the truck.

Mike D'Amato: That's my recollection, yes, but those are there if you wanted to go back and see them, but I do not recall seeing any plates on them.

Commissioner Sobieski: So at this point, they are unregistered.

Mike D'Amato: Other than those two vehicles, the right of way was clear. There were no vehicles parked along the building. Any questions about what we have gone over so far?

Chairman Aieta: We are going to let the permittee, the representative of the company be allowed to speak at this time. State your name and address for the record, please?

Matthew Kreidel, 366 Maple Hill Avenue Newington, CT

Chairman Aieta: You understand our concerns and the purpose of this hearing, you are under Special Permit, and we have the authority, if we feel that you are in violation of the permit, we have the authority to revoke your permit.

Matthew Kreidel: Would you please tell me what section of the Zoning Code gives you that authority?

Craig Minor: We'll take his questions and answer it at the later time.

Matthew Kreidel: Mr. Chairman, I received the notice to show cause, this notice was the only thing that I received. No other information. Any list of violations, I am unaware of and per the ZEO saying that there have been no violations since 2012, so I'm a little at a loss as to why I am here when I don't have any pending violations, and the only thing that you mailed me is the order to show up here. I'm a little confused, I mean, there is no due process at all. I can't answer your concerns, I don't have any paperwork, nothing has been given to me to address your concerns because I don't know what they are. I'm wondering why I was not sent anything, provided anything, and I was wondering if you could answer that for me. That's it, I received a notice to come here, I came here, but that is the only information that I have received, and even per the ZEO's time line, there have been no violations since 2012. So why are we here?

Craig Minor: Mr. Kreidel, you called me last week to set up a meeting to go over this, and I told you that I was available any time last Thursday or Friday to meet with you to go over these items, and you didn't call me back.

Matthew Kreidel: I understand that I didn't, that was through e-mail I believe, and my mother-in-law died last week, and I have been tending to funerals and have been occupied with that. As Mr. Minor is saying, I did ask for a copy of the legal notice, and the Special Permit which the letter said was attached, and he did e-mail me a PDF copy. But, that was all. I'd like to work with you, be reasonable, my last communication with Mike is that I knew that there was something about a neighborhood petition, I called three times to his office, without a call back, I e-mailed him, finally received a response I think three days later, and he said, we received a petition from the neighbors, it's attached, there are a bunch of things on here, you'll hear from me shortly. That was in August, August 8<sup>th</sup>, I believe. That was the last I heard from him on any issue on this property. My e-mails said I want to be pro-active, let me know what is going on, let's deal with this before it is a problem, that was my e-mail, and the only response I got was, I'll be in touch.

Chairman Aieta: You are aware of the conditions of your special permit. Are you aware of the conditions? It looks like from the photos that you have not upheld your end of the conditions for a number of years, particularly in the number of cars that you are allowed to have on the property, the condition of the cars, it looks like to me that you are doing dismantling....

Matthew Kreidel: What I do is, I buy cars from insurance auctions that are damaged, and a lot of times buy another car to fix that vehicle, and that was explained to the TPZ at the time I did the permit modification, it was gone over in depth what I do, and that was I believe in 2003 or '04 that that permit was approved, and in 2005 the ZEO at the time complained to

Motor Vehicles, Motor Vehicles came out, did an inspection, and told the Town Planner who was Mr. Meehan at the time that I was well within my rights as a licensee, to rebuild cars, that is what a dealer does. A dealer fixes cars and the assertion of something that is operable or inoperable is a very gray area. Your ZEO here seems to think that operable means that it is ready to run. If all my vehicles were ready to run, or any dealer's vehicles were ready to run, why would you need a dealer's license to repair them?

I do have the correspondence from the 2003, '04 meetings, if you would like to review.

Chairman Aieta: We have that.

Craig Minor: Well, we may not have a specific letter, so if you have something that you would like to leave with us, that would be fine.

Matthew Kreidel: If you would like me to make you a packet, I'd be happy to do it.

Craig Minor: Thank you.

Matthew Kreidel: I would just like to let the Commission know that I am willing to work with you, do whatever it takes, I understand that you are saying that there are 80 plus vehicles, and it's a big property. It was my oversight not to get more spaces into the property when it was zoned, and I'm willing to get rid of the extra vehicles that are in excess of the number. I'm willing to work to make a plan for that, and I know something was brought up about vehicles in the front yard, I'd be willing to work on that immediately to try to show progress to you and give you something visible to see and I just have one more question. I had a child custody case today, for my children, and the opposing attorney seems to know a lot of information that I don't even have. Like the number of vehicles, that I didn't even have. I'd like to know how an opposing counsel could have that information when I don't even have it. I'd like to know who in the zoning office was responsible for that. I mean, you guys have a leak, there is a problem somewhere. Someone is doing something that are not supposed to do ethically. I'd like an explanation for that. Why in court today....

Chairman Aieta: We don't know what you are talking about. That has nothing to do with the purpose of this hearing for a special permit.

Matthew Kreidel: I would just like to know why people have information I don't have.

Chairman Aieta: We are not going to get into that because we are not privy to what you are talking about. I don't have a clue what you are talking about. I don't know if anyone here does or not. As far as these Commissioners are concerned, they don't know what you are talking about. It doesn't not have anything with us, how someone got information about the number of cars on the property I have no idea, if in fact they do have that information.

Matthew Kreidel: They said they received the information from the Town.

Chairman Aieta: At this point, the Commissioners have the opportunity to question the permittee.

Commissioner Pane: So it sounds to me if you had a list of problems that you would bring your site plan into compliance, is that correct?

Matthew Kreidel: Yes, that was the e-mail that I sent to the ZEO when I heard that there as something amiss, I want to be pro-active about this, let me know what was going on.....

Commissioner Pane: So you are about 39, maybe 40 about cars over, depending on how many are actually there right now.

Matthew Kreidel: Depending on when the picture was taken.

Commissioner Pane: Correct. So my question to you is, how long do you think that you would need, a reasonable period of time, to bring yourself into compliance, or at least halfway to compliance, and then further into compliance. How long do you think you would need? Could you do it in 30 days, do you need a little longer than that? I'm curious.

Matthew Kreidel: I could probably show you progress in 30 days, I do know on my agenda that we are flying out to Wisconsin to bury my wife's mother, and we are going to be gone for a week, so in the scheme of things, you take a week out of a month, all of a sudden it's really short.

Commissioner Pane: I understand. So, you think you could show progress in 30 days and do you think in 60 days you could bring yourself completely into compliance.

Matthew Kreidel: I was looking at the numbers and thinking, generally, I don't want it to be a situation where I take the car away, make you happy, and then the car comes back. I want to just figure out what cars need to go, get rid of them, and I mean, that is probably a longer process than just moving something, and it would probably take me I would think, about six months.

Commissioner Pane: That's a little long.

Matthew Kreidel: I understand that, but I'm willing to work with you, and if you wanted to say, in the next 60 days we better see some solid progress.....

Commissioner Pane: If anything, I would think that 90 days is more than ample time to move 40 cars, and figure it out even under the circumstances that you have some things coming up with your personal family and stuff. I wouldn't want, I don't know about the other Commissioners, but I wouldn't want to see it over 90 days. I think we should leave this petition open for that 90 days too, so that this whole thing could stay open for 90 days.

Chairman Aieta: You are jumping the gun, don't start making conditions for the Commission until we have an opportunity to hear from the rest of the Commissioners.

Commissioner Sobieski: Mr. Kreidel, about four months ago, you had the entire front loaded with trucks, cars, everything else, within the town right of way, am I correct?

Matthew Kreidel: Yes.

Commissioner Sobieski: Okay, was that not in violation of your original permit. Were you not supposed to put anything in the right of way?

Matthew Kreidel: I don't remember that condition in there. I was contacted by the Town Manager, we worked on a plan, I implemented the plan to her satisfaction, removed the vehicles.

Commissioner Sobieski: Was this the first time this came up?

Matthew Kreidel: Yes.

Commissioner Sobieski: It didn't come up with our previous ZEO, Art Hanke at all?

Matthew Kreidel: I don't believe so.

Commissioner Sobieski: Let me ask one more question, I saw from those pictures that there is a truck without plates and it looks like an engine block sitting out there, in the town right of way right now, is that correct?

Matthew Kreidel: Yes. The truck was supposed to be picked up to go to auction. I don't know why it is still there.

Commissioner Sobieski: What about the flatbed? Is that yours?

Matthew Kreidel: Yes.

Commissioner Sobieski: Was the flatbed at one time behind the gate?

Matthew Kreidel: Yes.

Commissioner Sobieski: Was the engine block behind the gate at one time?

Matthew Kreidel: No.

Commissioner Sobieski: So apparently those are parts, am I correct?

Matthew Kreidel: Yes.

Commissioner Sobieski: Would that not be prudent on your part to get that out of there ASAP because there might be contaminants leaking out of there?

Matthew Kreidel: They were both drained. I had them on the truck, I needed to move some cars, so I took them off the truck, and they are dollies, and somehow the wheels popped off and I need to lift them up to put the wheels back underneath them to move them.

Commissioner Sobieski: How long has the engine block been out there?

Matthew Kreidel: I don't recall.

Commissioner Sobieski: How long as the red pickup truck been out there?

Matthew Kreidel: Maybe five days.

Commissioner Sobieski: Is there anyway you could get those put behind the gate?

Matthew Kreidel: I can work on that for you, Commissioner.

Commissioner Sobieski: Thank you.

Chairman Aieta: Any other Commissioner comments?

Commissioner Serra: I would certainly like to hear from the public which we will at some point. Looking at the Certificate of Action that was in our packet, condition number three, is modified as follows: "No auto bodywork, dismantling of vehicles, repainting of vehicles or



storage of vehicle parts, other than inside the two enclosed buildings identified in yellow on the Site plan is permitted at this location.” Yet we have dismantled vehicles, we have parts, we have stuff all over the place, not in the enclosed buildings.

Chairman Aieta: That is in violation of the Special Permit.

Commissioner Serra: Right. Were you aware of this condition Mr. Kreidel?

Matthew Kreidel: I'm aware of it, it was back in 2004, it wasn't in the forefront of my mind, no.

Commissioner Serra: There are just too many things going on there as far as violations. I mean, I'm willing listen, I'm willing to see what we can work out, but also at the same time, the people who live in this area, the people who have to see this every day, that have to deal with this every day, I think they deserve to be heard before we do anything.

Chairman Aieta: In the yard, is there a catch basin or a drain?

Matthew Kreidel: No there is not.

Chairman Aieta: Do you have any oil separators or anything, is there any wetlands or brooks on this property or adjacent to this property?

Matthew Kreidel: There is a brook adjacent.

Chairman Aieta: I think the reason that they wanted you to do the work inside the building, one of the reasons would be not to contaminate the soil and have runoff into the brook from gasoline or oil or anti-freeze or anything else, so that is a big concern for this Commission.

Matthew Kreidel: Can I address that? Commissioner Sobieski did personally complain to DEP about that very item. DEP came out and investigated the property, investigated the vehicles, and decided there was no problem. They have been on the property and they have investigated that very claim because Commissioner Sobieski made it personally. As such, as Commissioner Sobieski has personally gone against me to state agencies, I would ask that he recuse himself from any vote.

Chairman Aieta: It is up to Commissioner Sobieski to determine whether he has a conflict of interest or not. It's not up to the Commission. It's up to him to determine if he has a conflict. Anything else? I think you brought up a good point. There are multiple things going on, on this site, it's not within the conditions of your approval, and that is, we're getting complaints from the neighborhood, had them for years, it's going to come to a head, it's got to be resolved, and this is one way to resolve it, to revoke the special permit. We would like to work with you, but we're not giving you six months to a year because this has been going on since 2003. It's a lot of years. I'm looking at the photos, and it looks like some of the cars that were there in 2003 are still on the property, so I don't know what kind of business you are running, but it is obvious that you are not moving these cars, they are not even moving, they are not moving off of the property. It's the same 85 cars that are there. You can tell some of the cars have been there for years and years and years. You don't have a permit to run a junk yard. We don't allow junk yards, they are not permitted by the zoning regulations in the Town of Newington.

Matthew Kreidel: I understand that. Any vehicle that is sitting there, I have a lot of older Camaros and they are not dismantled, they are full cars. I understand that you may see

some cars that are still there. The ZEO pointed out a boat that is still there. It's in the same location because that's where it goes, that is where it fits.

Chairman Aieta: Any other Commissioner remarks before I open it up to the public?

Commissioner Serra: A couple of the concerns that I have, is one with what they are fast approaching, I don't want to see this going into winter when snow is flying and all this is still there, so I would like to see this resolved before then, whatever we come up with. My other concern, and Commissioner Miner might be better to do this than me, but looking at those pictures, if there was a fire there, if there was a problem there, you couldn't get apparatus back there. You'd have fire fighters trying to snake around vehicles, you couldn't get equipment back there, we would have a major problem over there, so this is also a safety issue.

Commissioner Miner: There is an issue with accessibility to the property, and we are aware of it just from driving by that there is very limited work to be able to do on that property if, God forbid, something were to happen to it, just by a complete lack of accessibility to get anywhere.

Chairman Aieta: I think that might have been one of the reasons that they limited you to a certain number of cars, so that you could, the cars that were there could be put in rows and there should be rights of way between the rows, so the fire apparatus, if anyone who had to get in there could do it. I think that is why they limited you to a number so that the size of your property is making the condition for the number of cars that they allowed. So that you could have a neat, orderly operation so that if we had to have a fire truck get in there, they would have a way to get into the back of that property. The way it is now, there is no way to get back into there. Some kind of a hazard, or a fire, we'd be fighting it from the street.

Matthew Kreidel: I had discussed this with Chris Schroeder, on occasion, he did come to the property and one of the things that he suggested to me was to take the batteries out of the cars if they are going to sit for any period of time. I followed that, and then he said if you follow that there shouldn't be anything, but try to keep a clear path, and there is not a clear path right now.

Chairman Aieta: Any other Commissioner remarks? We will let the public come up and speak. We're going to open this up to the public and we want to have people who want to speak in favor of revoking the permit, they have the opportunity to speak first. Because the town Planning and Zoning Commission is the one that bring up this action, you would be in favor of the action to revoke.

Peter Hoffman, 32 Francis Avenue: I have lived there for the last 23 years. I requested and obtained a copy of both of the letters from 2003 and 2004 pertaining to the action, and the very first item on that says, the use of this property shall be limited to a wholesale auto dealer where operable vehicles are stored and evaluated prior to resale. The current status of that property is that you could not get anything out of that property, because there is no room to move. There are vehicles that are partially disassembled, there are vehicles that are in the path where only a car under it's own motion could get through, there is a fork lift right behind the gate that can be moved, but beyond that, there is no way that any kind of a car could get out of there, whether it is running on it's own, or not. There is also point number five that says, no vehicle parking or vehicle displays shall permitted within the front yard of the property. That front yard is a distance of 25 feet within the fenced enclosure along the Francis Avenue right of way. Right now, you can't step move than two feet on the other side of that enclosure and not hit something. Whether it is a black pickup truck right in front of the

building, whether it is a car right in front of the building, between the fence and the building, or whether it is in the remainder of the parking area. That is not twenty-five feet. It just looks really bad. During the summer we had at least fifteen cars and a boat. Right now there are two motors sitting on crates as was discussed earlier, there are two of them, not one. They appear to be marine motors out of a boat. He's selling boats now. I thought it was motor vehicles. The impact that this is having on the Town, or at least the people who live in the area, it's pretty traumatic. I don't see why this has gone on as long as it has. This whole thing started in 2003 where the letter was addressed to Mr. Kriedel directly and then in 2004 it was addressed to an attorney, stating all of the changes and modifications. At that point Mr. Kriedel had to know that he was in violation of many of these bullet point as you have up on there. I would like to know who was in charge of the TPZ at the time that this whole thing started, and why wasn't something done then. It's thirteen years that we have had to live with a mess. I can tell you that I started the petition. I was tired of seeing the mess that that property has become.

Chairman Aieta: Anyone else from the public wishing to speak in favor of revoking the permit?

Karen Frisbee, 44 Brook Street: I've lived in that general area about sixteen years but I have been in Newington my whole life. I'm very familiar with what the area looked like before and now and whatever, and over the past sixteen years that I have been in the area I have seen it go downhill. Really disgusting. Really looks like a junkyard which is unacceptable to everyone in the area. I've watched vehicles be there, I've complained about it, I've seen them leave, the next day I see one boat leave and another boat come in. There is just junk, junk, junk everywhere and I don't see where that is acceptable for anyone. I agree with everything that the other gentleman said, I think it needs to be addressed and it needs to be addressed within maybe sixty days because at that point we're going to get into winter and then we are going to have a real problem. That's all I really have to say, I hope this can be straightened out very soon. Thank you.

Chairman Aieta: Anyone else wishing to speak in favor of revoking this permit?

Ray Frisbee, 44 Brook Street: As my wife was just up here saying, we lived in the area for about sixteen years now, and we've seen it as Cashway Lumber and so forth. The problem is that the gentleman that owns it is not in compliance with what he said he was going to do. There's junk cars there and there is nothing going on there. There is no work going on, I haven't seen anybody moving in and out of there, nothing. I think something has to be done about it, it's just a terrible mess. To let it go for another three months would be unacceptable to me and I think most of the people in the neighborhood. Thank you.

Chairman Aieta: Anyone else?

Carla Santora, 93 Francis Avenue: You have seen me here before. I have lived on the street for thirty years and I remember Cashway and it was just wonderful at the time. I do want to say to Mr. Kriedel that I'm very sorry about his mother-in-law, it's never a fun thing to go through. The place looks like a junk yard, I don't have to tell you, everybody already knows. I agree with a lot of what the Commissioners said, my question is, if you knew what your rules were, and he was out of compliance in 2003, why didn't you put himself in front of this board? I mean if you know the rules that are supposed to stop them, he is supposed to stop. So if he knows what the rules are then really, that should have been kept along the way, it looks like a place where it is just a storage house for junk. Junk yard, and like they said, no one ever goes in or out. I'm up and down that street ten times a day and I never see anything. Even the building is horrible. It's affected our property value, when I actually have to give people

directions to my house, I'm ashamed to say come to Willard Avenue because you have to come around, and, where do we live? I agree, there is environmental, there are fire hazards, there are safety issues. If God forbid there was a fire, you are putting the fire fighter and the police in harms way. Children could go over there and play, get caught in a car, something with one of the motors, so I know we are here to say, do something about it, and you are. I did have one question about the DEP, so who takes precedence over our area, the State rule or the Town rule? Because if the DEP came out and said all that is okay, if I was changing oil in my driveway, and made a business of it, I don't think the DEP is going to say it is okay. We do have a brook there and we still have bunnies and deer and other animals beside people that are around. So it would be nice to see if we could try to preserve that. Every now and then it looks cleaned up, and a week from now it is going to look ten times worse than it does a month ago. So again, I don't have to keep going over everything because everyone knows this, so I'm just here in support. Please do something, and I think six months to a year, it's been thirteen years, that is way too long. He doesn't live on the street, other people here probably don't live on the street, and they don't have to look at it every day, but we do. Thank you for your time.

Chairman Aieta: Anyone else wishing to speak in favor of revoking this permit?

Rose Lyons, 46 Elton Drive: I do not live in the area, but I go by there occasionally and notice the condition of the yard and feel sorry for the people who have to live with it on a constant daily basis. Question, a remark where someone made reference to the number of cars in his lot, and inferred that there was some kind of leak or something? I for once wish I had a smart phone instead of my flip phone, because I think that the TPZ package referenced some of the information, and it is anything that anyone could get if they went to the Town Planner's office, I believe, if they pulled the files. I just don't like it sounding like there is something going on. As far as the violations since 2003 to 2012, I come to almost every one of these TPZ meetings and there have been a lot of complaints. I guess there hasn't been a formal complaint against the permittee, I'm not sure. If this is a place where cars are fixed and sold, is there any record of how many cars have been sold over the last ten or twelve years out of there? Thank you.

Chairman Aieta: Anyone else wishing to speak in favor of revoking the permit?  
I'll go to the other side, if there are people here that would like to speak in opposition to revoking the permit, please come forward.

David Mattison: I'm a deacon at Memorial Church. I live in New Britain, but I come to stand up for the owner because he has done things for the Church. In the front of his building, we park on Sunday. That is the only place we can park for the Church since we do not have a parking lot. The building that is on Day Street directly across from the Church, we don't own that property either. We are allowed to park there also. I think that if you give him a chance to clean up he'll do it. Thank you.

Chairman Aieta: Anyone else wish to speak in opposition to revoking his permit?

Dwayne Johnson, 28 Goodwin Place, East Hartford: We have been there for at least 37 years, so we were there when it was Cashway. Since I have been there, there have been changes. When Cashway was there, there wasn't a problem. I do not know this man personally but I do know that he has a good heart. I do know that he is responsible. You know, some people make mistakes, but if you give them a chance, give him a chance to change, then obviously what I am hearing is what he wants to do. Yes, he is in violation, but those violations can change if you give him a chance. At least the Town of Newington does look as if it does have a heart because there are some other things over there on Francis

Avenue, between our church and his property that are ((inaudible) There are some branches in the way, that could cause accidents from our Church's point of view. We have complained about that, or if there is an accident, that could be a huge problem, because it has not been changed. There are other issues over there, other than his property, but I ask that you give him a chance to change. The time limit is appropriate, if the time limit is three months, six months, I don't live there, but I have been worshipping there, for 27 years, so I do know what that property looks like, and I do know that if you give him a chance to change, give him a chance to do what he has to do, then I'm pretty sure you will be happy with the results.

Chairman Aieta: Thank you. Anyone else?

Mary Chilson: Member of the Church, started there in 1972 when the lumber company was there, and I have been there ever since trying to keep the Church nice and welcome people in, keep the yards clean, and this man, he would let us park over there. I think that is very nice of him, because after Merrow, the had a sign, No Parking, so this man let us park down there for the little time that we are there. Ten o'clock in the morning, until maybe 1:30. We thank God that he lets us park there because there is no where to park there now, unless it is on his property. He is very nice about that, and as the young man said, give him a chance to get those cars out of the way. It would be good for us too, otherwise we are not going to have anywhere to park for our services at 167 Francis Avenue. Thank you.

Barbara Brown, Berkley Place: I attend the Church, and I have been going there for over seven years, and the gentleman that owns this property where they are saying there are all these violations, I have to say, the time that I have been going to church over there, he keeps the parking lot clean for us like when it snows, he keeps it plowed and when some of the cars that need to be dumped, when he can he helps out with the cars and stuff, so I want to say this. There are times in all of our lives that we have not made the right decisions, and we do need time to get those things done, and I believe that if you give him this chance that he will take care of these violations, and for the ones that live in the area I'm sure that it doesn't look good when things are piled up like that because I have lived in this town for about ten years, and I can, this is a clean town. That property is kept up, even where I live property is kept up, but sometimes people get behind and he needs the chance to make it all right, so I'm just asking, if you can, give him a chance please. Thank you.

Chairman Aieta: Anyone else? Seeing none.....

Craig Minor: The ZEO wanted to add one thing to the record.

Mike D'Amato: Just a couple of points that were made by the property owner, mostly about some of the things that the Town has said or done. Within one of the conditions of his approval it states as to what they define what inoperable vehicles are. They are calling it "something that is no longer intended or in condition for legal use on public highways." That's what they are using to define an inoperable motor vehicle. I'm not making that determination on my own.

The only other thing that I would like to clear up is that the summary of violations which we put up on the screen earlier that shows notices of violation that were issued from 2003 to 2013. While I was not here until 2014, in another ordinance, through the blight ordinance we did receive, the Town did receive a blight complaint, on this property as well as another property owned by the property owner, and we were in sort of a pending litigation, so rather than having two things going on at once at that point in time, we were advised by counsel to hold off on that. So it doesn't mean that after 2012, from that point until today he was in compliance, it just means that no notices were sent, and I think that is an important distinction to make. We are not saying that compliance is there, it just means nothing was sent out.

I can't clarify more than that because I was not here in 2012, but that was my understanding of how the Town proceeded. That's all that I have.

Commissioner Bottalico: Mike just mentioned the litigation. Is there any litigation going on now?

Mike D'Amato: In regards to this property?

Commissioner Bottalico: Yes.

Mike D'Amato: There is no, we are not in court over this property, no.

Commissioner Bottalico: My next question is, I'm hearing that we haven't had any violations from 2012, so I'm pretty familiar.....

Chairman Aieta: This is not the case. Why don't you explain it again?

Mike D'Amato: This list references notices of violation, physical pieces of paper that were mailed to the property owner, so it shows what was sent by previous ZEO's. The last notice that was sent for a zoning violation was sent in May of 2012. It doesn't mean that after 2012 compliance was achieved, as you can see, in May of 2006, the ZEO at the time did find compliance, so it would have been noted here if the property was in compliance. For other reasons, notices were not sent. It doesn't mean that there weren't violations. Hopefully I have explained that correctly.

Commissioner Bottalico: The only thing I'm saying is that I was aware of this when I was on the Council about that property, the old Cashway, and I just don't understand, to Mr. Hoffman's concerns why we haven't done anything in all these years. I mean, this thing has been going on since 2003.

Craig Minor: On the advice of the Town Attorney in 2012 the zoning department did not take zoning action against the property owner because there was a blight enforcement action going on against him on a different piece of property.

Commissioner Bottalico: That was the litigation?

Craig Minor: Yes. So the Town Attorney advised us that basically pursue one fight at a time. That's why no action had been taken since 2012.

Commissioner Bottalico: How did we make out on the litigation?

Craig Minor: Complicated question.

Commissioner Bottalico: Yes. That's what I thought.

Chairman Aieta: That's a separate issue, so we're here specifically for the site.....

Commissioner Bottalico: But, Mr. Chair, there hasn't been any violations because of that litigation, correct? Am I correct in saying that?

Craig Minor: No. There have been no notices of violation, no paperwork has gone out, but the site has been in violation all these years.

Commissioner Bottalico: All right.

Chairman Aieta: Does that clarify it for you?

Commissioner Bottalico: I don't know if it clarifies it for Mr. Hoffman.

Commissioner Sobieski: Back in, I believe it was before I got onto Planning and Zoning I did call DEP about the oil issue down there, I was concerned about it draining into the brook, they went there and found that there was no violation. My understanding is at that time, the ZEO who was I believe was Mr. Art Hanke then took a look at it closer and I believe that there was something done with Motor Vehicles, which I had nothing to do with, but, in order to make Mr. Kreidel happy, I will recuse myself from any vote on this issue, thank you.

Chairman Aieta: That is your prerogative. If you feel that you have a conflict on this, a personal issue....

Commissioner Sobieski: Like I said, the neighbors down there have an issue, they have a petition out here for what they would like to see happen, and again, I don't want him to say that I am in violation, or whatever, so I am going to recuse myself. I feel better that way there. Thank you.

Chairman Aieta: There is a lot of information that we got tonight. A lot of issues that are still up in the air, and have to be clarified. We are going to keep this public hearing open until the next meeting, and probably will keep it open longer than that until this Commission makes the determination as to how we are going to proceed with the revoking or some kind of conditions that we put on the property owner to get it cleaned up. I would like to have the opportunity to keep it open for the public, for another meeting, and then the Commissioners will have an opportunity to discuss this among ourselves, and try to come to some conclusion whether we should proceed with the revoking of the permit, or come up with some kind of a plan to mediate the problem on the site, and try to get this into some kind of compliance. We understand, we want to make sure that the permittee, the property owner understands that, you cleaned it up, at this point, don't go back and start bringing stuff back in there. We're watching, you are being watched by the neighbors, by the Zoning Enforcement Officer, everybody is watching, so you cleaned it up, keep it clean at least in front of the gate, and making sure that the right of way is clear. It's not your property to be able to park on it. You keep the front of the property clean.

Matthew Kreidel: I under Mr. Commissioner, I will schedule a meeting with Mr. Minor this week.

Commissioner Pane: I'm pleased to see that you will have a meeting with our Town Planner and he can give you a list of the violations. We meet in two weeks, it would be really nice if you could show us in two weeks that some improvement would help. I mean, two weeks, you might be able to haul out fifteen cars,....

Matthew Kreidel: May I ask the date of that meeting?

Craig Minor: October 13<sup>th</sup>. It's a Thursday instead of Wednesday because of the Jewish holiday.

Matthew Kreidel: I will just be coming back from Wisconsin that day, I should be here by 7:00.

Commissioner Pane: My point is just that if, even though the Commission hasn't made a decision yet, it would be.....

Matthew Kreidel: If there was some progress, you would appreciate it.

Commissioner Pane: Exactly.

Chairman Aieta: Come back to the next meeting with a plan as to how and what or something to show that you are trying to get into compliance with the conditions.

Matthew Kreidel: I understand.

Chairman Aieta: You have to give us something. Come back to us with something. We have been living with this for so long, with these conditions on this site, I mean, the residents have come forward with a petition, a large group of people in that area that are not happy, and we are going to get it cleaned up, one way or the other. Either revoke your permit, or get you into compliance, but we are not going to be doing this every six months, or every three months, having you back in here telling you to move that engine, you have to do this, we're going to get this to a point where you are not going to have a business there, or it's going to be run the right way.

Matthew Kreidel: I understand Mr. Chairman.

Commissioner Pane: Just want to clear something up on the right of way, I do recall that, I believe, unless the town can show me something different, but I believe that he can park there in the right of way during the day time because those are parking spaces, Cashway used to use those as parking spaces, similar to this, but at night, nothing in the right of way.

Chairman Aieta: I don't think that was part of the approval because it doesn't say that in the conditions. It gives the exact locations of where this property begins and ends and it doesn't, it's not allowed to do anything in the right of way.

Commissioner Pane: We allowed Cashway to park in the right of way.

Chairman Aieta: Well, I don't know about Cashway, that was before my time on this Commission, I've only been the Chairman for a year.

Mike D'Amato: Condition seven states that no vehicle shall be parked, shall be permitted to park in the Francis Avenue right of way. So there is no reference to hours, as far as what could be there, couldn't be there, it's Town owned property, so if he doesn't, there is no question about whether that space is owned by him, so whoever is parking there, a resident or someone visiting or the Church, it is town owned property, and I think that may have been part of it, because it is owned by the Town but I don't know, I wasn't here in 2004. We can clarify that, we can try to pull minutes from that meeting.

Commissioner Pane: Could we pull the minutes from 2003 when it first came in, and could we have a full map of the, a real map.

Craig Minor: You mean full size?

Commissioner Pane: Yes.

Craig Minor: Yes, sure.



Chairman Aieta: So we are going to keep this hearing open and we will continue it at our next meeting.

Commissioner Serra: The only thing I want to add, which you already touched on, is, I want to see some long term plan, for keeping it clean, so as you said we're not back here in six months, we're not back here in a year, we're not getting petitions from the residents, I would like to see a long term plan that is going to be feasible and workable for everybody involved. Let's just not look at the short term, let's look at the long term if this business is allowed to stay.

Chairman Aieta: This hearing will remain open until the next meeting.

## **VII. APPROVAL OF MINUTES**

### **A. Regular Meeting of September 14, 2016**

Commissioner Sobieski moved to approve the minutes of the regular meeting of September 14, 2016. The motion was seconded by Commissioner Serra. The vote was unanimously in favor of the motion, with six voting YEA.

## **VIII. NEW BUSINESS**

### **A. Petition 30-16: Zoning Text Amendment (Section 3.19B: Newington Junction TOD Overlay District.) Town Plan and Zoning Commission, applicant.**

Craig Minor: The Petition was closed at the last meeting, and now we are back to discuss what the Commission wants to do going forward.

Chairman Aieta: Any Commissioner remarks, questions? Any suggestions?

Commissioner Sobieski: Quick question, what did we decide, or what was the discussion on the Day Street area? I know that is one of our small industrial areas that we have in town. I really wouldn't want to see too many changes there if we can get some business up there.

Chairman Aieta: Well the land right now is zoned Industrial for that area, and per our 2020 Plan, that was put in at the last revision, it was put in that we want to make sure that we don't use any of our industrial land for making zone changes for, changing industrial to residential or a different type of zone. We would like to keep the industrial land that we have available for industrial type, commercial type uses so that we can broaden the tax base. There is very little property left that we can expand. It's the battle of every town to have an increase in the grand list.

Commissioner Sobieski: Could we possibly get an aerial map of the area with which businesses are open, which are vacant at the present time? Just the Day Street area.

Craig Minor: Sure, we can give you maps, but what constitutes being open.....

Commissioner Sobieski: In use.

Craig Minor: Well, that's what I mean. A lot of buildings limp along with some really marginal tenant, so technically it is occupied, but it certainly is not thriving. I guess there are no easy answers to the question of economic development. I can certainly give you a map, an aerial

photograph of the area, and it will show a building, but there is no way of knowing if that building is humming or if it's barely able to keep the lights on. I'll have a map for you.

Commissioner Sobieski: Just as an example, the old Merrow machine, there is some electrical company in there.

Commissioner Camillo: Gagnon Electric.

Commissioner Sobieski: the next to it is Mirabelli's. Those two buildings are in use, going down, there is a vacant piece of property where the high tension lines run, and then we have I think a vacant open lot, and then we have what was the old H.O.Penn building, which has been subdivided. I think there is an auto repair business in there.....

Commissioner Camillo: There are eleven tenants in there.

Commissioner Sobieski: So those are in use, then you have the old Standard Structural Steel and the old Eddie Ross building which is Underground Utilities, there is a house in there for some reason or other, and then you have Standard Structural Steel, then you have a vacant piece of property and then I believe there are three or four houses on that side of the road. On the other side, most of that property is in use with the exception of the old C.J. Spring building which is vacant now, and I believe the old parking lot for the old Standard Structural Steel. The rest of the properties are in use. There are residential areas in there too. So my question is, do we have a very limited area in there to deal with? I really wouldn't want to see any of that taken up by housing or anything else like that. That's my concern.

Chairman Aieta: I really don't think that this underlying zone, trying to keep with our 2020 Plan, I certainly wouldn't be pushing for a change from industrial to housing.

Commissioner Sobieski: Again, the other issue too is, and I'm sure the neighbors are concerned, if you have some type of outside venues, for instance a restaurant or outside seating, noise late at night, that does border the residential area down there, Francis Avenue, Brook Street, and noise does travel at night as Commissioner Pane will attest to. He has gotten some phone calls from working on the railroad tracks at one o'clock in the morning, and the noise is amplified down there. So, we want to be cognizant, very careful what we put into those areas, that's all.

Chairman Aieta: When I look at that area, it's an area that, if we could get it cleaned up and bring some other industry or other type of commercial uses into that area, when I drive down there, I'm used to looking at the Pane Road industrial area, and the Costello Industrial Park, and the town owned Budney Industrial Park, and these are beautiful areas that are well maintained. When I drive through this industrial area, it's not up to the same standards that we should be looking for in the Town of Newington.

Commissioner Sobieski: You are one hundred percent right, I mean, the old parking lot for Merrow machine has got concrete dumped in there, pipes in there, there is some dirt that they took out, I believe the church was going to try to buy that building, they took some dirt out because it was contaminated. It has been covered for, I'm going to say 20 years if not more and you know, things just start and then they stopped down there, so I think we need to work on getting more enforcement in that entire area, zoned and cleaned up. I mean, if that dirt is contaminated, it should have been hauled away. If it's not contaminated, it should be taken out.

Chairman Aieta: I know which piece you are talking about. It's the piece that is right across from Merrow Machine.

Commissioner Sobieski: That's correct.

Chairman Aieta: It's not an allowed use to have that type of storage on that piece of property. That piece of property was used for parking, it's not designated as outside storage or a dumping ground. We'll have to have the ZEO take a look at it.

Commissioner Sobieski: There have been numerous amounts of dumping up there. I know I called when Art was here, and go up there and take a look at it. Mattresses are dumped, TV's, garbage, it's an attraction for people late at night for people to just pull the vehicle up, drop off stuff, and take off, so we need to do something.

Chairman Aieta: We need to define what areas we are going to look at, and define the areas that we are going to use for the transit oriented development and hope that it's zoned if we are going to do it at all. There were questions brought up at the last meeting about the train station, and what we do with that, questions we need answered about the parking, State of Connecticut parking for the busway, we have a lot more questions that we have to answer. We were able to do it on Fenn Road, this is a whole different situation. It's a lot harder to deal with, with the residential area that surrounds this, and I don't see the people in that area giving up their property to put in a commercial building.

Commissioner Sobieski: No, I don't either, but there are just too many unanswered variables here. You don't know if the railroad station is actually going to go in, they have forty percent funding to design it, you don't know where it is going to go, exactly what properties are going to be taken. If they are talking a 300 car parking lot, obviously they are going to be taking some sizable properties down there. So again, it seems like there are a lot of questions out there with no answers to them. I think we definitely need to look to get some answers from somebody. This is going to be a big part of the puzzle trying to get that whole area put together. Thank you.

Commissioner Miner: The moratorium is in place for another ten months, correct?

Craig Minor: Yes.

Commissioner Miner: Could we table it and see if we can get any better definition moving forward in terms of what the State has intentions, Amtrack has intentions.....

Chairman Aieta: The properties in the area are already zoned, so if there is any activity....have you had any inquiry from any developers or anybody looking at this, any speculators, land speculators, anybody looking at this area?

Craig Minor: Probably, but I would turn to Andy Brecher and ask him that, because he is the person they would call. I can find out.

Commissioner Pane: I'm sure there is interest in housing and apartments, but I don't think we would allow that in our Industrial zone. That's why I mentioned the 2020 Plan last time, you know, we have to be careful of that, I think we have to be careful of the residents in the area. I definitely think, I agree with you Mr. Chairman that we need to take some action and clear up the Day Street area, make it more pleasant for people that drive in that area, and where the Industrial area abuts to residence, we need to try to increase the buffer zone and plantings there, so the residents have a little bit more protection. I notice that there is lacking

some sidewalks here and there on Willard Avenue which might increase the walking to the TOD area, or at least to the bus station. Like I mentioned the last meeting, they are getting ready to have some meetings on the commuter rail, so I think six months, eight, nine months down the road, maybe we will have some more information on that. If this was, if we didn't act on this, it doesn't mean that we can't bring this up in the future.

Chairman Aieta: It doesn't mean that if someone came in and had an interest in a piece of property that it couldn't be looked at. We're not tying anybody's hands. This is a lot harder than first blush looking at it, saying well, we could do this, this, this. There are too many variables here. It was so easy at Fenn Road because we didn't have the residential component that we have now have to be concerned with, and it fell right into place because most of the property already was zoned PD and we just overlaid it with a special PD zone. We've seen some activity there now, Starbucks is coming in, and there is some activity going on there, so something is going to happen in that TOD area, but this is a little harder to figure out because of the residential area, and the way it is chopped up. We have the industrial area, do you have any plans Mr. Planner other than what we have already kicked around?

Craig Minor: Well, this is kind of a moving target, because when we start talking about specific areas then the conversation drifts over to how the land should be used, and then it drifts back to which areas we are talking about. It's hard to get a handle on what direction the town or the Commission or even me sometimes want to go with this regulation. There is no rush to do anything. I do talk to the Economic Development Director almost every day, and I haven't gotten the impression from him that there is a lot of interest in doing anything in the near future. There is land assemblage going on. There are people out there who see the future and are already doing what they need to do to position themselves to be in a position to take advantage of it, in two years when the Hartford line opens up, but as far as anybody with any actual interest in doing anything right now, there isn't much. They are kind of sitting back and waiting. So there isn't much harm in TPZ not acting.

Chairman Aieta: One of the things that we can do is take the map, as a Commission and try to define the areas we would like to see the overlay area, the Industrial area. It could lend itself to a PD type area, zone, without the housing component, more commercial and less of an Industrial type use. Along Willard Avenue we could look at the portion that is south of the station on both sides of Willard Avenue, see what properties are there, I know there are some historical houses. I think we have to identify what areas we are talking about so the residents in the area have an idea, well, this is the area that they are talking about. I think we are going to have a really irregularly shaped zone here and hack out the pieces that we want to get some action on. Maybe the next couple of meetings we take a look at the map, maybe all take a ride out there and see what areas, some of them on Willard Avenue, it's a defined area.

Commissioner Pane: It would be by Special Exception so the residents would have a lot of control and a lot of say. You would have to somehow comply with the 2020 Plan and not allow the housing, I'm not sure how you would do that. As far as other areas, the only other area that I see is like there is some vacant land north of the station on Willard, but there are some older houses there, so how do you, it's very difficult like you said.

Chairman Aieta: So we have a lot of unanswered questions from the State about parking, about the busway, we'll just plod along. We don't have anybody banging on the door for this particular area, but I think if we define the area.....maybe there is something we could do as far as the Day Street area, incentives for developers to go in and try to do something with some of the vacant land, or the Standard Structural building, I don't know if there is anybody in there.....

Commissioner Sobieski: Yes, there is somebody in there now. They are using that building, so the only vacant spot is right next door that abuts the.....

Chairman Aieta: Unfortunately they came in there and are using the building but didn't do anything to make it more attractive, a more attractive building so we could get some other businesses and industry in that area. The area is run down, bad. It's an opportunity, we don't have too much going on, as far as industrial and commercial land left, so it's an opportunity to build a tax base there. There's got to be something that maybe we could do as a Commission to have incentives for someone to come in and buy the vacant land or do something to the buildings to make them a little more attractive.

Craig Minor: I know Newington, a number of years before I was here had a façade grant program for the center, maybe something analogist, something to incent property owners in the Industrial area to clean up their industrial property. That wouldn't be TPZ, that would be Economic Development or Town Council, but that in connection with thinking about some incentives to the zoning regulations might influence property owners to clean up their property. I can't think of anything else off the top of my head, but I'm sure there must be other things to do. We can look at the industrial zone regs to see if there are things we can do to encourage, I don't want to say a higher quality of tenant, but I think to upgrade the area.

Chairman Aieta: Maybe we should talk to the Economic Development Commission particularly for that Day Street area, a beautification program, meetings or talks to make a plan there for additional buildings.

Commissioner Sobieski: If I'm not mistaken, the, I believe the old parking lot on the other side had a For Sale sign at one time. I do know that those two abandoned buildings on what was Day Street Extension are now occupied, so there is some turnaround there. I think one of them might be a landscaper, so it's starting to come back a little bit, but again, it's the chopped up pieces of property here and there. Northern Heating has their big building and warehouse up there, so.....

Chairman Aieta: Does anyone have any idea what Gagnon is doing with the Merrow Machine building? I don't see any activity there.

Commissioner Sobieski: I believe he put in a couple of garage bays. He has his trucks stored in there, that's what I can see when I go by.

Chairman Aieta: That's not the highest and best use of that piece of property.

Commissioner Sobieski: No, I understand that. The older piece I believe is contaminated, the wooden floors with oil and stuff. I seem to remember that the Church tried to buy that property, and they could not get past the contamination in the floor.

Commissioner Serra: There was part of that building in use, a small section of it had been rented out, when I went by there a few times, they were putting equipment in there, I'm not sure, maybe a small machine shop, but there was something in there.

Chairman Aieta: At this point I think, it's under New Business, I don't want to regurgitate what we have already done tonight, maybe we should take it off for a couple of months and bring it back.

Commissioner Pane: We can leave it on Old Business and maybe.....

Chairman Aieta: What is the best way to handle this?

Craig Minor: You could tell me to leave it off the agenda until your first meeting in December or something like that and I'll put it back on under New Business.....

Chairman Aieta: Let's keep reviewing it, because I don't want to loose track of this thing, either. At the December meeting, we can look at it again, and then if we have to we'll leave it off again, but at that point all the Commissioners should get a better understanding of what is down there, on Willard Avenue and a small portion of Francis Avenue, and the Day Street area, that is what we are looking at. See if we can define and outline the TOD District, if we can do that, we can alleviate the concerns of the residents that we're not into their backyards.

Commissioner Sobieski: The portion of Francis Avenue where the nursery is, and where Cashway Motors is, is that where the parking lot is going to go, does anyone know?

Craig Minor: The preliminary maps that I have seen is that parcel, south of Cashway, that runs between where the nursery meets up with Willard, my understanding is that is the property that they are looking to acquire for the parking?

Commissioner Sobieski: And that will accommodate 300 vehicles?

Craig Minor: Yes.

Chairman Aieta: We'll move this to Old Business.

#### **B. Discuss Possible Revisions to Section 6.2: Signs**

Chairman Aieta: This is an item that I have asked the Planner to put on for the start of discussion, we have approved a lot of the zone changes already, but there are certain areas that we have cherry picked out of the regulations to look at separately, and this is one of them.

I can give you some background that for a year we had a sub-committee of the Zoning Commission and we worked on the sign regulations. We went back and forth with several revisions and looking at, and when it was all said and done could not come to a concrete conclusion as to how to handle temporary signs. So instead of a sub-committee, I think we should do it as a whole Commission because it is something that we are looking at and we have time, we're not under time constraints.

Let's turn it over to the Town Planner to get some ideas, and then the Commission as to how deep and how far we are going to get into this.

Craig Minor: Well, as I said in my memo to the Commission, there are basically six sections of the sign regs, and maybe as to how to get a handle on that is to take these six sections separately, and we don't need to take them in order, but the order that they are in is the General Section, there is the Residential Sign Section, there is the Non-residential Wall Mounted Business Sign section, there is the Free Standing Business Sign Section, which is the vast majority of your business, Directory Signs which is it's own category, and then Maintenance. Then there are the definitions of the signs.

Chairman Aieta: I think we should go through each one of the sections, and I'm not suggesting wholesale changes but just some gray areas that we can clean up like we did with the other regulations. I'd like to do that and one of the biggest reasons that we are looking at the sign regulations because of the temporary signs and the issues that we have with temporary signs. I've had that discussion with some of the members here, and the

consensus is that we would like to look at that temporary sign regulation, and possibly eliminate it from the sign regulations because we spend too much time and have problems with that.

Commissioner Serra: We can go through the regulations and see what the consensus is, but with everything that we have to go through, it is taking up too much of the Zoning Enforcement Officer's time chasing these signs around. I would have no problem eliminating the temporary signs.

Commissioner Sobieski: I concur with Commissioner Serra. We are spending too much time on these signs.

Chairman Aieta: It's hard to get a real handle on it and the problem that the subcommittee had was that we looked at different ways as to how to handle it, and we always ran into a brick wall because then we said, how do we enforce it? It's just too unwieldy.

Commissioner Miner: They seem to come in spurts. They seem to be everywhere, and then they go away for a while and then they come back and then they go away, it's just a revolving door. If they serve a purpose, I'm sure they do, but do the benefits outweigh the nuisance to the ZEO. He's tied up.....

Chairman Aieta: The biggest problem with the temporary sign permits is the Berlin Turnpike and they are not even putting them on their own property, they are putting them in the state right of way. Then we get questions as to whose authority is to remove them, and the ZEO doesn't know whether he should call the State, the State doesn't want to send someone to do it, and they stay up there for a long period of time, and then on the weekend, they are like spring flowers, they pop up every weekend, and on Monday morning they disappear. It's a cat and mouse game, and we're spending too much time on it. I'd say sixty to seventy percent of his time is taken up with signs on the Berlin Turnpike. It's the same repeat people. Unfortunately people who would go through a permit process and do it properly, and do it half way the right way, are penalized because of the repeat offenders. When you look at it on the Berlin Turnpike, like I said in the past, we give those businesses extra amount of signage on their buildings and on their pylon sign, double from what everybody else in the rest of the Town gets. So we are giving them something that no one else is getting, because they are on the Berlin Turnpike, because of the speed of the traffic, we want people to notice, but what happens with temporary signs, it becomes where everybody has a temporary sign, and then it just becomes a blight. Then they serve no purpose because no one is able to read the signs because you are oblivious to it as you are driving by, it's just looking bad. It's time that we take some action, and at least try.

Commissioner Pane: I'm not in disagreement with you, but this will not solve all the Zoning Enforcement Officer's problems because he will be out there, still, because people will still put them up. So, this is not necessarily going to.....

Chairman Aieta: It defines the regulations to the point where it is a definitive action, a definitive regulation instead of, that they are not allowed. It's no question, there is no gray area, it's not, well, he has a permit, he doesn't have a permit, and I'm only going to have it up for a day, and it's, it makes the law stricter, so are they all going to disappear, no, it's going to be a (inaudible) enforcement issue. He's going to have to, probably when we first put it into action, maybe will have to educate the public that we have eliminated it. We're going to have to have serious public hearings and try to get the public and the business people to understand what we are doing and get them in here to comment on this. We can't do this in a vacuum.

Commissioner Pane: I understand, and I'm not disagreeing with you, I think there is definitely a problem. All I want to say is it still could be a problem for the Zoning Enforcement Officer. I think this has merits, taking it out. The other thing I have to say is I think, I've seen a huge improvement, the zoning enforcement action that he has done over the last six months or so. He's gotten into the rhythm of really staying after the people that are the ones that go out every weekend. He's starting to get a handle on it. I'm not sure if he has solved all the problems, but it has improved, I think you can admit that it has.

Chairman Aieta: No question about it.

Chairman Aieta: On the other hand too, we have the signs on vehicles that we have to deal with, define, and put in our regulations a more definitive explanation of what it is and what it is not.

Commissioner Sobieski: My understanding is the DOT should remove those signs on the Berlin Turnpike, that's a hazardous road to have one of our people walking on. You should be contacting I believe it is Mr. Adam Boone, District One, that falls under his purview. You should tell me, basically, signs are out there on the weekends, I believe they have trucks working on Saturday. Remove them because it is a hazard. People will slow down to read it and they are not going to pay attention. Distracted driving issues and that is really something that needs to be looked at. I wouldn't want to see, and I believe Art had said at one time, he's pulls the ones off from the side, but he's not going into the medium to get them. That is dangerous out there, so my thought was, DOT needs to be contacted, needs to be pushed up the line if the local maintenance doesn't want to do it, it needs to be brought to the Director of Maintenance. He's in the main building, I'll e-mail you tomorrow with his name. Push that up there, because we don't want our people getting hurt out there.

Commissioner Bottalico: I totally agree, I think temporary signs ought to go. Mike has enough problems and I just think we ought to do away with them period.

Chairman Aieta: This court case, I don't know what state it was in, that might....

Craig Minor: In a nutshell, what the Gilbert decision was basically says is that if you are going to regulate signs, you have to regulate them exactly the same everywhere. So you can't say, well, the high school tag sale can have their temporary signs, but Floors Now cannot. It's rather draconian, I don't think though that is going to be a problem with eliminating temporary signs, you just eliminate them everywhere.

Chairman Aieta: Mr. Planner, how do we handle the real estate signs?

Craig Minor: I don't know. A lot of towns are trying to wrestle with that problem right now, and political signs, I'm not sure. If that is the direction that the Commission wants to go, we'll do some research, if you think that is where you want to go we'll find a way that is legal, it's complicated.

Chairman Aieta: The real estate signs and the political signs,

Commissioner Bottalico: Tag sale

Commissioner Miner: Civic



Chairman Aieta: It's not going to be that easy to just take all the temporary signs out of the regulations. We have to think of those instances, how do we affect the real estate, the political signs, civic signs, the signs that the kids hang on the fence for high school graduation, there is a whole multitude of stuff that if we take it out of the regulations, then everybody is in violation. It's going to take some work as to how, we're going to have to think about this.

Craig Minor: Well, obviously Mike and I have been talking about this for several years now, and he has come up with a couple of different suggestions which I can bring to you at the next meeting, or whenever you want to take this up again. A couple of different ways, to try to get a handle on these temporary signs. Some very different ways for your discussion.

Chairman Aieta: I think the consensus is though that we want to eliminate them. There has been talk, conversations with the ZEO on different ways to permit and all of that, and it doesn't work. We'd rather see elimination of the signs, even if it means taking all of the temporary signs out and then not enforcing the real estate signs, and the political signs, they are only out there, by the time we look at them, get a complaint, they're down. They only last for a month. That's the problem with zoning, we have to get a complaint first. Let's put it on the agenda and see what we can come up with, bring us back something. I think we should go through each of the areas and see if there is any language in there that, like we did with the rest of the regulations. I'm not looking to make a substantial revision to the whole sign regulation, I'm looking to make revisions for the temporary signs. If there is language that we can clean up while we are doing it, we should do that.

## **IX. OLD BUSINESS**

### **A. Petition 38-16: Special Permit (Section 6.2.4: Free standing Business Signs) at 2288 Berlin Turnpike and Prospect Street; Parth Patel, owner; Hartford Sign & Design, applicant; Darin Senna, 328 Governor Street, East Hartford CT, contact.**

Chairman Aieta: We were going to act on this at the last meeting, but there were some questions as to the sign on Prospect Street and how the entrance was configured at Prospect Street.

Craig Minor: Right, and we did contact the OSTA, which is the successor to the STC, and I don't have this in writing, but I have it from several different staff people who did talk to the STC, and that yes, it is true, the STC did tell the applicant that they could only make that right turn off of Prospect. So that is the status quo. However Dr. Patel is, as I said in my memo, he is confident that he will be able to convince them to change their mind. So, as I said in my memo, which I haven't read since I wrote it, he intends to go back to the STC next year and ask them to reconsider. So they would like you to approve the sign as requested, perpendicular to the street, but with content only, for now, on the side facing to the east which is where the customers will be coming, and if in the future the State does give them permission to allow left turn in, then they will populate the rest of the sign, which for the moment will have art work or something attractive.

Commissioner Pane: I would image that this Commission should have something to say about it too, even though it's a State road. I recall when Wal-Mart wanted to go in there on Prospect Street this Commission had a lot to say about it, and was able to uphold the court order that you couldn't have.....

Chairman Aieta: With the sight line and the hill there, it's not a good configuration. I think we should move forward with just the one side facing Wethersfield.

Craig Minor: Well okay, but when you say one side, you mean perpendicular to the street as they requested which then, by definition is two sides, one side facing east and one side facing west.

Commissioner Pane: The side facing Wethersfield would have the signs on it, the other side would be blank.

Craig Minor: Oh, okay so that is acceptable to you.

Chairman Aieta: Does anyone have a problem with that. You understand what they are saying, right?

Commissioner Miner: Blank, not illuminated.

Chairman Aieta: No, just a blank, just blank, whatever the finish of the sign, if it's an anodized type finish, or aluminum type anodized finish, then the back part, what the background is, that would be the background.

Commissioner Pane: No, you are making a mistake. The sign should be a one sided sign, and the back side is a drivet material or whatever else is on there. If you notice in the sign there, it looks like there is some kind of drivet or masonry product around the sign, so on the back side, should be similar to that, and then it is only a one sided sign facing Wethersfield. Don't get the impression that they put up a double sided sign, and then they have a bunch of blanks in there, and then eventually they take the blanks out, and the sign pops in there, .....

Commissioner Miner: I think he wants a panel in there, a non-illuminated panel, just steel or aluminum or whatever, just a complete blank.

Commissioner Pane: It's not necessary. They have a right in only so they only need a sign facing Wethersfield, the one that is on Prospect Street. The other sign that is for the Berlin Turnpike, they asked for a double sided sign, and I agree with that.

Chairman Aieta: Do we know what the materials of the background of the sign are? They have an insert where they slide in the panels for the different names, but what is the base of the sign, is it a metal type sign, or is that.....

Commissioner Miner: It's a steel finish.....

Commissioner Pane: Yes, with some sort of drivet material with masonry on the top of it.

Craig Minor: This here, there is a note, concrete shelf/stone base eight inches thick. This is labeled illuminated cabinet, so there this is only on the one side, there is no cabinet on the other side.

Chairman Aieta: But if he was able to go and get the State to change their mind, he could always add the panels and the box to the other side, if he had to. I don't think that is going to happen, so why don't we approve it the way that....do we have a motion?

Craig Minor: No, sorry, I don't.

Craig Minor: Well, approve with the condition that the Prospect Street sign would have a cabinet, which is a term that they use, only on the Wethersfield facing side. That is a good use of the word cabinet, because now it is very clear what you are allowing and what you are not allowing.

Chairman Aieta: So that would be the only condition. The one on the Berlin Turnpike side there was no problem with that.

Craig Minor: There didn't seem to be any problem with the Berlin Turnpike sign, just this one.

Commissioner Sobieski: Would that be the east side, or the west bound side across the street. That's what you are talking about, coming west from Wethersfield.....

Craig Minor: Well, it would be the east side of the sign.

Commissioner Sobieski: East is going down, west is going up, so it would be on the westbound side of 287.

Craig Minor: Correct.

**Petition 38-16**  
**Special Permit**  
**Free Standing Business Signs**  
**2288 Berlin Turnpike and Prospect Street**

Commissioner Pane moved to approve Petition 38-16 Special Permit (Section 6.2.4: Free Standing Business Sign at 2288 Berlin Turnpike and Prospect Street,) Parth Patel, owner, Hartford Sign and Design, applicant; Darin Senna, 328 Governor Street, East Hartford CT, contact.

**Condition:**

1. The sign on the Berlin Turnpike can be double sided and the sign on Prospect Street is single sided on the east side only.

The motion was seconded by Commissioner Serra. The vote was unanimously in favor of the motion, with six voting YEA.

**Petition 39-16**  
**Special Permit**  
**Free Standing Sign**  
**800 N. Mountain Road**

Commissioner Miner moved to approve Petition 39-16: Special Permit (Section 6.2.4: Free Standing Business Sign) at 800 N. Mountain Road. St. Thomas Indian Orthodox Church, owner/applicant; Anoop Mathew, 11 Welles Lane, South Windsor CT, contact.

**Conditions:**

None.

The motion was seconded by Commissioner Sobieski. The vote was unanimously in favor of the motion, with six voting YEA.

**X. PETITIONS FOR PUBLIC HEARING SCHEDULING**

- A. Petition 41-16: Special Permit (Section 6.2.4: Free Standing Business Sign) at 2545 Berlin Turnpike (Artison Vapors.) George Emerson, owner, Image 360/Signs Now, applicant, Randy Hamilton, 2434 Berlin Turnpike, Newington CT, contact.

Chairman Aieta: Is there anything we should know about this before we schedule it?

Craig Minor: Before you schedule it, no.

Chairman Aieta: Any problems with this?

Craig Minor: Well, this is a site on the Berlin Turnpike, there are two buildings on the property. The existing sign that they want to add on to, is in a location that is legally non-conforming. It's too close to the Berlin Turnpike, that is the complication, but there are a lot of details which we can't really go into.

Chairman Aieta: It's a public hearing so we will hear them. I just wanted to let you all know there would be some complications.  
We are also going to add the Wood 'N Tap.

- B. Petition 43-16: Special Permit Section 6.6.2 Alcoholic Beverages at 3375 Berlin Turnpike (Raymour and Flannigan) WNT VII applicant, Furniture Executives No. 4 LP owner, Michael Hanlin, 287 Chesterwood Terrace, Southington CT, contact.

Chairman Aieta: We will put that on so that we can have the public hearing for the liquor permit.

**XI. TOWN PLANNER REPORT**

- A. Town Planner Report for September 28, 2016

Craig Minor: The first item, at the last TPZ meeting, the Commission discussed possibly talking to the Town Council about rescinding their exemption from zoning, and I have prepared a memo for the Commission on this, which I sent to you by e-mail and then I have distributed a hard copy of it. It's two pages, so I would rather not read it unless you want me to.

Commissioner Pane: I appreciate the report from the Town Planner, and I would like to read this and think about it a little longer before making any decisions.

Chairman Aieta: We just got this tonight, so why don't you put it on the agenda for the next time and we will discuss it.

Craig Minor: Okay, the next item is the Open Space Zone Regulations, which we started to discuss at the last meeting, but then the conversation went in the direction of the zoning exception issue instead so the Commission didn't discuss the Open Space Zoning Regulations that I presented. Do you want to put that on the back burner also, until you decide what to do.

Chairman Aieta: If we go with some of the suggestions of this matter, then it changes things. Why don't we take this up at the same time.

Craig Minor: Okay, and then the third item was the Amara amendment. I did prepare a draft amendment which would do the things that the Commission wanted which is to allow the greater density and the greater height only in the B-BT zone. So, if the Commission wants, I can prepare that for a hearing, send it to CRCOG and schedule it for the next available meeting which would be probably the November 21<sup>st</sup> meeting.

Chairman Aieta: Any discussion on this?

Commissioner Pane: Yes Mr. Chairman, I wasn't on that Commission and it would be helpful for me and maybe a few other members if we could have the minutes of the discussion that took place?

Craig Minor: Certainly. That's all I have.

Do you want to talk about my vacation situation now?

We are going to India, my wife and some friends, but it's two weeks, so it is going to interfere with your first meeting in November and I looked at the calendar, and I thought about, should you reschedule the first meeting, but we're leaving Wednesday night, the first Wednesday of the month, so moving your second meeting to the first Wednesday wouldn't help. There is no way that I can see re-scheduling the first meeting of the month to make any sense, so I think the option is have your meeting without me, or cancel the first meeting and if we know now that we are going to do that, we'll just arrange everything so that we can get the business done that we need to get done in either October or the November 21<sup>st</sup> meeting. You meet once in August, and we just work around it, you meet once in December, we work around it, so.....

Chairman Aieta: We talked about this, and my inclination would be to cancel it. I would rather have you here. Is there anything, would we be hurting anybody that has something coming up that is so pressing that we can't.....

Craig Minor: I just received a site plan modification the other day to reconfigure somebody's parking lot in front of the building. It just arrived this week, it will be on your October 13<sup>th</sup> agenda for discussion, and I'm sure you will be done with that before the second meeting in October, so I don't see anything coming in for November, but of course things come in that I don't know about now.

Chairman Aieta: I prefer to have the Planner here at the meeting, and not have the Assistant Planner do it, because I want consistency.

Craig Minor: I think Mike should fill in for me, I think he would enjoy the benefit of sitting answering all these questions, and.....he is the Assistant Town Planner, and he's watching this.

Chairman Aieta: He said it, and I don't like the way he said it. (Laughter.) There was mischief in his voice.

You move the calendar so that it won't affect any one's plans.

Craig Minor: Now remember, November is the month where your second meeting is not on the 4<sup>th</sup> Wednesday because that is too close to Thanksgiving, so it will be the Monday before that, November 21<sup>st</sup>, which you have done for many years. I'll all done.

**XII. COMMUNICATIONS**

A. CRCOG Zoning Reports to Berlin, Farmington, Hartford, and West Hartford TPZ.

**XIII. PUBLIC PARTICIPATION** (for items not listed on the Agenda, speakers limited to two minutes.)

Carol Anest, 30 Harding Avenue, a member of the Town Council: I was just curious since there is an event going on at the temple on Church Street which has created a lot of discussion. I have received phone calls from residents. Was the memorandum of understanding fully executed by both parties?

Craig Minor: My understanding is that it has not been.

Carol Anest: Do you know why?

Craig Minor: Well, I think in the transition between the former Town manager and the current one.....

Carol Anest: No, because this memorandum was between the Acting Town Manager at the time, so I'm just curious. There is a big event, and know some of the stipulations, the property owners and I are very concerned in the magnitude of the event, and there is another one scheduled, according to the schedule.

Chairman Aieta: I'm glad you brought that up because I have been going back and forth with the Town Planner and the Town Manager's office on this issue. It turned into less of a zoning issue and more of a public safety issue Carol, and there have been meetings with the Police Department and the Fire Department and the Town Manager's office, and the Town Manager is the Director of Public Safety, so it is less, it never really got into this Commission for any action as far as we were concerned because we have the other entities looking at it, the Fire Department, and they did, the Fire Department did give them permission on tents. On my conversation with the Town Manager I told her, and I'm not ashamed to say it, we feel as a Commission that this event that they are having is way too big for the venue. It's too big of an event, too many people are involved for the size of the property, and that's how I left it with her, and basically it's up to her and the Public Safety Director, the Police Department, the Fire Department to make a decision whether to go forward. I had a great discussion with the Planner. We get into this religious aspect of it, we get into the safety aspect of it, and zoning was less of an impact than the safety and the religious areas, so I backed off and didn't bring it to the Commission, but let it be known that the Commission felt that this event was way too big for that piece of property.

Carol Anest: Don't they require a special permit from TPZ for that?

Craig Minor: No, because this is part of their religion. This is their religious event. If they wanted to have a Health Fair or something, not really religious, then they probably would need a special permit of some sort, but this is what churches do, they have religious events. The parade down the street, as the Chairman said, that's a Police issue.

Carol Anest: We just want to, when we get calls and e-mails from residents we want to be able to explain it to them accurately.

Chairman Aieta: You know our position, particularly mine, that if I had my druthers I would have them try to look for a different place to hold it, but apparently it is to dedicate the Temple

so you really can't have it any place else, but maybe they could have cut down on the number of people that were invited, I mean, there is going to be 2,000 people there. They are going to go from Patterson School to the Church, they are going to have the parishioners marching along side of the road, there is a really big problem for the Police Department and the Fire Department. I don't know what else we could have done as a zoning board, but our role is minimal.

Carol Anest: Thank you very much.

Rose Lyons, 46 Elton Drive: The memorandum of understanding, am I hearing correctly, was never signed? I remember the draft coming before TPZ back in January. Whether it was signed or not, I guess at this point is a moot point, but is it going to be signed, are they going to be held to what was discussed around this table with the residents. I know it's not signed as we speak, but .....

Chairman Aieta: You understand that that was not something that was initiated by the Planning and Zoning Commission, that was something that was initiated by the attorney that was representing the Temple. It came here as a courtesy.

Rose Lyons: It wasn't binding on anyone.

Chairman Aieta: No, I remember sitting in the audience and there was discussion, and the attorney for the Temple pretty much ran the discussion and it was back and forth, so it was not something that we initiated, but it was something that was supposed to be done between the Town and the Town Manager's Office and the attorney for the Temple, and I just lost track of whether they did it, and apparently they haven't signed it.

Rose Lyons: There is nothing to stop it from being signed at this point, is there?

Chairman Aieta: No. That's up to the Town.

Rose Lyons: Okay, thank you.

#### **XIV. REMARKS BY COMMISSIONERS**

Commissioner Sobieski: I attended the last CRCOG meeting, basically they were discussing the water issue, some areas it is getting really concerning with wells drying up, they did say that because Newington is part of the MDC District, they have quite a bit of water, where some of the outlying districts where they have private wells, community wells like Coventry and those areas, they are concerned.

Chairman Aieta: We are fortunate that there is an abundance of water in the reservoirs in Barkhamsted and Farmington, West Hartford, and it would have to drop below the 70 percent mark before they would even consider some type of rationing or odd/even days, it's way above that point. We'll watch it, the next big commodity is water.

Commissioner Sobieski: Both Commissioner Pane and I attended the Town Council meeting last night on Alumni Road. We presented a plan, there were several questions from some of the Town Councilors, so now the ball is in their court to see if they want to proceed with the engineer.

Commissioner Pane: You covered everything Stanley and you did an excellent job explaining the traffic, and I was very pleased. I think the Council understood the problem and hopefully it will move forward.

Chairman Aieta: Now it's up to the Council. It's really their prerogative if they want to proceed with this.

**XV. CLOSING REMARKS BY THE CHAIRMAN**

Chairman Aieta: I have a remark as Chairman, in the, a while back in Berlin, on the Berlin/Newington line on Church Street, where Church street turns into Episcopal Road they put up a tremendous amount of solar panels, a solar farm. We had discussions, it is in Berlin. I had discussions with the Town Planner and asked him to see what he could do about it. Apparently whatever he did, it worked because at this time, they came and they put a row of arborvitae in front of the fence, and they also planted street trees. I don't know how much it's going to cover that, but at least it breaks up the monotony of driving by and just seeing the panels, and I just want to say that I appreciate the work that you did and that you have contacts in other towns that you can reach out to, and have relationship where you can get something done like that. We're asking some other town to do something for us, and it worked out, and I appreciate it, thank you very much.

Commissioner Pane: I agree, that was excellent work. There is a double row of trees there, so that when they fill in, I think that it is going to prevent a lot of the site.....

Chairman Aieta: The planted street trees, they did more than they were supposed to do.

Craig Minor: The people that I talked to said that they would try, they would talk to their people and it worked out.

Chairman Aieta: It just happened in the last month or so, I'm very happy with it.

**XVI. ADJOURN**

Commissioner Sobieski moved to adjourn the meeting. The motion was seconded by Commissioner Camillo. The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Norine Addis,  
Recording Secretary